

Appl. No. : 09/847,759
Filed : May 2, 2001

REMARKS

The foregoing amendments and the following remarks are responsive to the March 2, 2006 Office Action. Claims 1-20, 22-24, 26-37, 39, 49-53, and 56-67 remain pending in the present application. As noted above, relative to U.S. Patent No. 6,044,983, Claims 1, 6-8, and 14, have been amended. Additionally, through the course of prosecution of the present re-issue Application, Claims 20, 22, 23, 26, 30, 36, 53, and 56-58 have also been added and amended. Of these Claims, Claims 20, 30, and 36 have been twice amended. Finally, Claims 21, 25, 38, 40-48, 54, and 55 were added then canceled.

In accordance with the Examiner's request, the Claims set forth above include markings showing changes made relative to U.S. Patent No. 6,044,983 and status indicators showing the status of the claims up to this point in the prosecution of the present re-issue Application. No new changes to the claims have been introduced by way of the present Amendment. Rather, all of the changes to the claims set forth above merely represent the cumulative changes to the claims during the prosecution of the present re-issue application. As such, the presentation of the claims set forth above is submitted for housekeeping purposes.

In response to the Office Action mailed March 2, 2006, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

The Reissue Oath/Declaration Contains the Statement as to the Applicant's Belief the Original Patent is Wholly or Partially Inoperative or Invalid

Claims 1-20, 22-24, 26-37, 39, 49-53, and 56-67 stand rejected as being based upon a defective reissue declaration.

Submitted together with this response is a copy of another Supplemental Reissue Application Declaration under 37 C.F.R. § 1.175(b)(1), as executed by the inventor on August 2, 2006. Applicant respectfully submits that the accompanying declaration satisfies the requirements of 37 C.F.R. § 1.175. Accordingly, Applicant respectfully requests the Examiner withdraw the rejection and pass the claims to allowance.

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Claims 1-20, 22-24, 26-37, 39, 49-53, and 56-67 are in Condition for Allowance

As noted above, the Examiner has requested a "housekeeping" amendment with the inclusion of all amendments made to the issued claims and specification. The above listings of claims and paragraphs of the present specification are cumulative of all amendments made to date.

With regard to the claims, new Claims 20, 22-24, 26-37, 39, 49-53, and 56-67 recite subject matter disclosed but not claimed in U.S. Patent No. 6,044,983. Applicant therefore submits that no new matter has been introduced.

In support of the amendments to Claims 1, 6, 7, 8, and 14, and new Claims 20, 22-24, 26-37, 39, 49-53, and 56-67, Applicant has set forth below an explanation of the support in the disclosure for the new claims, in accordance with 37 C.F.R. § 1.173(c).

With respect to the amendments to Claims 1 and 14, Applicant respectfully directs the Examiner to Column 2, lines 33-46, Column 3, lines 52-53, Column 4, lines 37-39.

With respect to the amendments to Claims 6, 7, and 8, these Claims were amended into independent form with the only change being the deletion of the phrase "on or under one of the shelves," as noted in the Amendment filed May 28, 2002. Thus, Applicant submits that the original versions of Claims 6, 7, and 8 provide sufficient support for the present version of these claims.

With respect to new Claim 20, Applicant respectfully directs the Examiner to Column 2, lines 57-64, and Column 3, lines 3-6.

With respect to Claims 22, 23, and 26, Applicant respectfully directs the Examiner to Column 3, lines 25-28, lines 41-44, Column 4, lines 14-18, and Column 5, line 27.

With respect to Claims 24 and 35, Applicant respectfully directs the Examiner to Column 2, lines 62-64.

With respect to Claims 27, 33, 34, and 37, Applicant respectfully directs the Examiner to Column 4, line 65 - Column 5, line 15.

With respect to Claims 28 and 29, Applicant respectfully directs the Examiner to Column 3, lines 52-59.

With respect to Claim 30, Applicant respectfully directs the Examiner to Column 2, lines 52-64 and Column 3, lines 3-6.

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With respect to Claim 31, Applicant respectfully directs the Examiner to Column 1, lines 44-50.

With respect to Claim 32, Applicant respectfully directs the Examiner to Column 6, lines 10-27.

With respect to Claim 36, Applicant respectfully directs the Examiner to Column 2, lines 56-64 and Column 3, lines 3-6.

With respect to Claims 39, Applicant respectfully directs the Examiner to Column 4, lines

With respect to Claim 49, Applicant respectfully directs the Examiner to Column 2, line 43 - Column 3, line 2.

With respect to Claim 50, Applicant respectfully directs the Examiner to Column 2, lines 52-54.

With respect to Claims 51, Applicant respectfully directs the Examiner to Column 2, lines 56-62.

With respect to Claims 52, Applicant respectfully directs the Examiner to Column 2, lines 62-64.

With respect to Claims 53, 56, and 57, Applicant respectfully directs the Examiner to Column 2, line 38 - Column 3, line 45.

With respect to Claims 58, Applicant respectfully directs the Examiner to Column 3, lines 45-59.

With respect to Claim 59, Applicant respectfully directs the Examiner to Column 2, lines 54-64.

With respect to Claims 60 and 61, Applicant respectfully directs the Examiner to Column 2, lines 46-64.

With respect to Claims 62, Applicant respectfully directs the Examiner to Column 2, lines 56-64.

With respect to new Claims 63 and 64, Applicant respectfully directs the Examiner to Column 2, lines 57-64, Column 3, lines 3-6, Column 4, lines 5-10, and Column 5, lines 27-32. Additionally, Applicant notes that the previously identified support for Claim 20 also applies to new Claim 63.

With respect to Claim 65, Applicant respectfully directs the Examiner to col. 4, lines 15-16.

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With respect to Claim 66, Applicant respectfully directs the Examiner to col. 2, lines 62-64.

With respect to Claim 67, Applicant respectfully directs the Examiner to col. 4, lines 52-54, and in particular, the reference to rod 10a.

SUMMARY

For the reasons described above, Applicant respectfully request the Examiner withdraw the rejection of Claims 1-20, 22-24, 26-37, 39, 49-53, and 56-67 and pass these claims to allowance.

The undersigned has made a good faith effort to respond to all of the rejections and objections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

By:

Michael A. Giuliana
Registration No. 42,611
Attorney of Record
2040 Main St.
Fourteenth Floor
Irvine, CA 92614
Customer No. 20,995
(949) 760-0404

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